

**REMARKS**

Claims 1-20 are pending.

Claims 1-20 stand rejected.

Claims 1, 14, 15, and 17-19 have been amended.

**I. REJECTION UNDER 35 U.S.C. § 102**

Claims 1, 2, 7, 8, and 12-20 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,396,513 issue to Helfman et al. (Helfman). Applicants respectfully traverse.

A cited prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. MPEP § 2131; *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). Anticipation is only shown where each and every limitation of the claimed invention is found in a single cited prior art reference. MPEP § 2131; *In re Donohue*, 766 F.2d 531, 534, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985).

Applicants note that independent Claim 1 has been amended to recite “the means for determining being further operable to determine that one or more of the messages is new but has an associated notification that has been cleared . . ..” Independent Claims 14, 15, and 17-19 have been amended in a similar manner. Applicants respectfully submit that Helfman (as well as the other art of record) fails to disclose or suggest at least this limitation. It has been previously stated that Helfman provides a list of message notifications associated only with those messages determined to be new and for which a notification has not been cleared. It has been further stated that Helfman’s unread/tot column provides both of these elements. It has been asserted, for example, that the unread/to column’s indication of a number of unread messages is a display of message notifications associated only with those messages determined to be new and that the unread/tot column’s non-zero integer is an indication that the notification has not been cleared.

Even if Helfman's unread/tot column could be interpreted as providing both of these limitations, Helfman's system cannot, under the interpretation previously advanced, make a determination that a message is both "new" and that a notification for that message has been cleared. To the contrary, in the previously-asserted interpretation of Helfman's system, once a notification is cleared (i.e., the unread/tot column is reset to zero because the message has been read), the message can no longer be separately determined as "new."

For at least these reasons, independent Claims 1, 14, 15, and 17-19 are patentable over Helfman. Likewise, the dependent claims, which include the elements and limitations of their respective base independent claims, are also patentable over Helfman. Accordingly, Applicants respectfully request withdrawal of the § 102(e) rejection.

## II. REJECTION UNDER 35 U.S.C. § 103

Claims 3-6 and 9-11 stand rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Helfman in view of U.S. Patent No. 5,943,055 issued to Sylvan (Sylvan). Applicants respectfully traverse.

As noted above in connection with the rejections under 35 U.S.C. § 102, Applicants have amended Claim 1 to recite "the means for determining being further operable to determine that one or more of the messages is new but has an associated notification that has been cleared . . ." Applicants respectfully submit that the combination of Helfman and Sylvan does not disclose or suggest at least this limitation. Sylvan provides a user with a list of all messages in the messaging system, rather than a list of message notifications associated only with those messages determined to be new and for which a notification has not been cleared. Indeed, Sylvan is incapable of determining which messages have, or have not, had an associated message notification cleared. Thus, Sylvan cannot provide "the means for determining being further operable to determine that one or more of the messages is new but has an associated notification that has been cleared . . . ." Accordingly, the Applicant respectfully requests withdrawal of the § 103 rejection.

IV. CONCLUSION

As a result of the foregoing, Applicants respectfully assert that the pending claims are in condition for allowance, and respectfully request allowance of such claims.

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, Applicants respectfully invite the Examiner to contact the undersigned at the telephone number indicated below or at [rmccutcheon@munckcarter.com](mailto:rmccutcheon@munckcarter.com).

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Nortel Networks Deposit Account No. 14-1315.

Respectfully submitted,

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